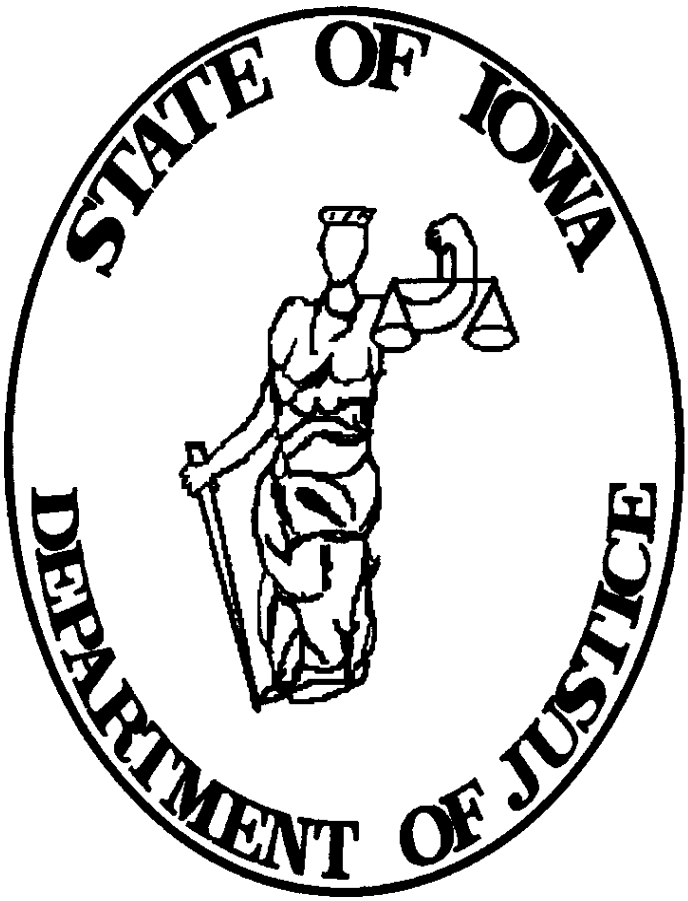
Iowa Attorney General
Tom Miller



2002 Criminal Law and Juvenile Justice Legislative Package

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Criminal Law Legislative Proposals

1. Financial Crimes/Money Laundering.

Attorney General Miller continues to be concerned about financial crimes, particularly money laundering carried out in connection with illegal drug trade. In 1995, he introduced a comprehensive package addressing financial crimes called the Economic Remedy Act. The Act passed in 1996. However, the regulation of money transmitters for money laundering purposes was dropped from the initial proposal. In recent years, money launderers have found it rather easy to hide or attempt to legalize their ill-gotten gains in Iowa through money transmitters because of little oversight and regulation. The Attorney General is proposing legislation to close this loophole and a quarter-million dollar grant from the U.S. Department of Justice will be used to create the Iowa Financial Crimes Task Force.

Background:

a. Definition of Money Laundering. A 1993 report from the National Association of Attorneys General entitled *A State and Local Response to Money Laundering* defined money laundering as follows:

> Money laundering is the means by which criminal organizations, such as drug trafficking networks, sanitize ill-gotten gains and convert them into apparently clean assets. Without a money laundering capability, criminal organizations would be marginalized, neither able to sustain and expand their illegal activities, nor invest in and corrupt legitimate businesses or government.
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> Money laundering begins with crimes that generate proceeds. Sophisticated criminal organizations use these proceeds to expand their operations, wealth and influence. To do this successfully, they employ a variety of artifices, and purchase the assistance of apparently reputable business people and professionals to conceal the origin and true ownership of the tainted proceeds.
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> Typically, money laundering is effected in three stages. First is "placement" of the ill-gotten proceeds. This entails concealment

> of the illegal source of the proceeds or conversion of the cash to another medium that is more convenient or less suspicious for purposes of exchange, e.g., negotiable instruments in bearer form, such as cashiers' checks, travelers' checks or money orders made payable to "cash"; precious objects, such as antiques, gems, oriental carpets or metals; motorized vehicles such as automobiles, boats or airplanes; or by depositing the funds into a financial institution account for subsequent dispersal. (footnote omitted)
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> "Placement" is followed by "layering," the concealing of illicit financial activity under layers of ostensibly legitimate ones, such as the commingling of the proceeds with legitimate funds. This provides the criminal enterprise with the cover of a substantial, legitimate source of income, a ruse to deflect the scrutiny of tax auditors and law enforcement agencies. Typically, "layering" is accomplished by funneling the illicit proceeds through businesses that are cash-intensive, such as restaurants, bars, vending machines and race tracks. Other convenient laundering vehicles include businesses that trade in assets which appreciate in value, such as jewelry or real estate; that have high markups, such as imports; or that entail big-ticket, quickly depleted inventories, such as car dealerships and computer stores.
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> Finally, funds are "integrated" back into the criminal enterprise, or are otherwise spent or invested to expand the base of the criminal activities. At the most elementary level, integration can be accomplished with cash or by barter. A more sophisticated criminal enterprise would have numerous options. For example, it could maintain an account in a commercial bank in the name of an apparently innocent nominee, thereby operating in an apparently aboveboard manner and availing itself of the advantages of anonymous and instantaneous electronic funds transfer.

b. Money Laundering Through Money Transmitter Businesses. Due to stronger and tighter regulations on depository financial institutions (i.e. banks, credit unions, and savings and loans), money launderers tend to use money transmitter businesses (MTBs) for moving their illegal funds into the regular flow of commerce, thereby disguising their illicit proceeds rather well.

Examples of MTBs where money laundering easily can occur include the following:

> (1) *Check sellers.* Business that take cash from customers and for a fee issue travelers' checks, cashiers' checks and/or money orders in return.

(2) *Check cashers*. Businesses that take checks from customers and for a fee issue cash in return.

(3) *Wire transfer firms.* Businesses that, for a fee, take cash from customers, electronically transfer funds to another location, and issue cash, a cashiers' check, or a money order at that second location.

c. Addressing the Money Laundering Problem in Iowa. The Financial Crimes Enforcement Network (FinCEN) of the U.S. Department of Treasury maintains that an effective money laundering response requires three components: an effective money laundering law, access to financial intelligence from financial transaction reports, and a designated team to investigate and prosecute violations related to money laundering offenses. The goal of Attorney General Miller is to ensure that Iowa's response has all three components.

(1) *Iowa's Current Money Laundering Law*. As mentioned, Iowa has a very strong, comprehensive money laundering law passed in 1996. The law provides a firm foundation to address money laundering in Iowa. Nevertheless, the law contains a significant loophole because MTBs are not effectively monitored or regulated. MTBs, like banks and other institutions, are required to report cash transactions of $10,000 or more to the IRS. However, multiple cash transactions of smaller amounts go unmonitored, making these institutions susceptible to money laundering by drug dealers and other criminals. This is particularly a concern given the extensive nature of Iowa's methamphetamine trafficking.

(2) *New Federal Regulations*. Recently, federal regulations went into effect requiring MTBs to register with federal officials and to report cash transactions of any amount that look suspicious, so called suspicious activity reports. While these federal requirements are helpful, MTBs in Iowa handle large amounts of cash with little oversight.

d. Attorney General Miller's Legislative Proposal. Attorney General Miller is proposing legislation to strengthen Iowa's money laundering law by regulating MTBs more closely. The proposal, based on a model act developed by the President's Commission on Model State Drug Laws, would do the following:

(1) Provide regulatory authority to the superintendent of banking for licensing and regulation of money transmitters in the state. The superintendent, in turn, would report possible criminal activity to the Department of Public Safety (DPS) for investigation.

(2) Require MTBs to be licensed and pay a fee to the superintendent to finance the regulatory work. A criminal background check would be required of all license applicants.

(3) Require MTBs to keep records of all cash transactions and make the records available to the superintendent for inspection and review. Information required to be recorded will be the name of the person doing the cash-related transaction, the amount of the transaction, and other pertinent information.

(4) Make violation of the federal rules referred to above a violation of Iowa law.

(5) Impose monetary civil penalties and loss of a license if MTBs fail to comply with the regulations. If other states have similar laws, then the loss of a license in Iowa could result in automatic revocation of the license of the MTB in those other states. Law enforcement officials could therefore rely on MTBs to cooperate in the investigation of branches or affiliates and in the maintenance of internal compliance programs designed to assure strict compliance with required reporting and record keeping.

(6) Impose a class C felony for persons who (i) knowingly make false statements or falsify any record or document required under the regulations or (ii) refuse to permit a lawful investigation by the superintendent or the attorney general.

By targeting illicit transactions occurring at MTBs, the proposal would help to eliminate the financial base critical to the survival of criminal enterprises. When New York started regulating MTBs, money sent to Columbia dropped by 30%. Enacting this proposal would enable state authorities to trace those who use MTBs for illegal purposes and those who convert their MTB into a means to launder money. In turn, legitimate MTBs would gain an opportunity to grow.

The proposal also is important because the superintendent, in monitoring the records of MTBs, would not only be able to discern possible illegal activity, but also the solvency of the MTBs, so as to protect consumers.

e. Grant from U.S. Department of Justice. The Attorney General's Office and DPS recently received a grant from the U.S. Department of Justice for $269,000 to create the Iowa Financial Crimes Task Force (Task Force).

The grant monies will be used for salary and benefits for a full-time criminal analyst and a full-time agent at DPS along with an assistant attorney general to be phased in from part-time to full-time over the 18-month grant period. Existing resources of $60,000 will be used to support training, technical assistance, and supervisory functions of the Task Force.

The Task Force will implement intelligence-led policing efforts to address money laundering in Iowa and coordinate money laundering investigation and prosecution efforts within the state. The Task Force also will provide training to local, state and federal government officials and private industry representatives.

Combined with the enactment of the MTB proposal, the grant will greatly enhance Iowa's ability to address money laundering and other financial crimes.

2. Revise the Sexually Violent Predator Act.

a. Background. In 1998, the Legislature enacted the Sexually Violent Predator Act creating a civil commitment procedure for persons who are deemed to be "sexually violent predators." The Act was enacted to address the danger of re-offending by violent sex offenders.

The Iowa Code defines a "sexually violent predator"as "a person who has been convicted of, or charged with, a sexually violent offense and who suffers from a mental abnormality which makes the person likely to engage in predatory acts constituting sexually violent offenses, if not confined in a secure facility."

Iowa's Sexually Violent Predator program has had slow but steady growth since its inception. As of December 13, 2000, 26 patients have been admitted to the program. The rate of growth has averaged approximately one patient per month.

b. Proposal. The Attorney General proposes to revise several provisions of the Act. These proposed changes incorporate recent case decisions of the Iowa courts and the United States Supreme Court.

(1) *Specify how a transitional release program would work.* Several patients are likely to be ready for transitional release during 2002. Although current statutory provisions contemplate some type of transitional release, the Legislature should specify more detail on how the transitional release program would work, whether civil commitment patients would have to be segregated from other sex offenders in a transitional release program, and how to respond if the transitional release effort does not work well for an individual patient.

In addition to greater statutory guidance, it is necessary to establish transitional release programs and fund those programs adequately. Generally, transitional release will be less expensive than institutional confinement and will result in cost savings per inmate. Initially, however, there may be start-up costs that should be budgeted.

(2) *Streamline the trial process to incorporate changes designed to reduce litigation costs without compromising constitutional requirements.* The proposal would simplify the initial review of actions that are filed, so that a hearing is held only when pertinent issues are contested. In addition, the proposed changes provide judicial oversight of expert witness activities and necessary medical or mental health services, in order to avoid payment of unnecessary expenses. The proposal also would allow for the provision of mental health and substance abuse treatment for patients from existing sources rather than from new sources. Finally, the proposal would allow for immediate

and appropriate action -- consistent with the therapeutic goals of the program -- against sexually violent predator detainees and patients who commit crimes while confined.

(3) *Simplify the annual review process.* Currently, a person committed under the Act is entitled to a full review hearing annually. However, a lengthy annual hearing is not required each year, either as a practical matter or as a constitutional matter. From a constitutional perspective, a person is not civilly committed until after findings are made beyond a reasonable doubt, so a presumption of continued commitment is justified. From a practical perspective, the treatment program is, by definition, a long-term program that will last for several years, and unnecessary litigation is counter-therapeutic to the patient.

While it is important to provide at least an annual review to monitor a patient's progress, a full hearing is not required each year. The proposed changes would provide for an annual review that meets constitutional requirements, but limit the hearings to those that are necessary.

In additional to the budgetary issues for transitional programs, it is necessary for the Legislature to address the costs of the entire program, including accommodations for the growing number of civilly committed patients and the costs for housing pre-trial detainees.

3. Computer Crime.

a. Background. Since the terrorist attacks of September 11, homeland security has never been so important. Governor Vilsack has called upon state agencies to "re-energize domestic preparedness efforts." As the state increases its reliance on computers, it becomes more vulnerable to threats against public safety and homeland security posed by incidents of hacking and computer damage.

Confidential records of governmental agencies, business trade secrets, systems that support or operate public utilities such as gas lines and electrical energy grids, communication services, and water distribution systems are just some of the sensitive computer data that can be damaged, taken, copied or altered.

Under current Iowa law, the only incident of unauthorized computer access that may be prosecuted is damage to tangible property. Therefore, certain types of damage to computer data or computer services is outside the scope of the criminal statute. Moreover, the applicable offense is criminal mischief, merely a simple misdemeanor.

b. Proposal. This legislative proposal would do two things:

(1) *Enhance the offenses of unauthorized computer access as follows:*

(a) If the unauthorized access of computer information systems involves sensitive information (similar to the kind mentioned above), the offense would be felony.

(b) If the unauthorized access involves copying, alteration, or deletion of computer data, then the offense would be an aggravated misdemeanor.

(c) For all other types of unauthorized computer access, the offense would be a serious misdemeanor.

(2) *Extend the application of the statute to intangible property, including software and data storage.*

4. Intimate Partner Violence.

a. Background. Current Iowa law provides protection from domestic abuse for persons who are married or have been married, who have a child in common, who are currently cohabiting, or who have cohabited within one year of the incident.

The current statutory definition of "domestic abuse" does not include assaults committed in circumstances when other persons are in, or have been in, an intimate relationship. Such individuals experience many of the same problems but cannot receive the protections that the court system provides, most notably no-contact orders. Often these are young persons who have nowhere to turn but to the court system, and the court system does not have the authority to help.

According to the National Center for Victims of Crime, one out of every three high school and college students has experienced sexual, physical, verbal, or emotional violence in dating relationships. Female teens cause more minor injuries than male teens, but female teens also are likely to receive more significant physical injuries and are more likely to be sexually victimized.

A report by the Bureau of Justice Statistics of the U.S. Department of Justice indicates that more than 40% of domestic violence incidents involve non-married persons and, further, that the highest rate of domestic violence occurs between young persons age 16-24. Young people who are involved in a violent relationship may learn to accept violence in a marriage relationship as being normal. If the issue can be addressed sooner, then future abuse often can be avoided.

Currently, 28 states have amended their laws in order to protect intimate or dating relationships. In the fall of 2000, Congress also passed, as part of the Violence Against Women Act, a provision that dating relationships be a part of the domestic abuse definition. The Iowa Supreme Court Task Force on Courts and Communities Response to Domestic Abuse and the Lt. Governor's Commission on Domestic Violence have recommended that the Legislature adopt such a provision.

In the 2001 session of the Legislature, the Attorney General's proposal on this topic (SF419) passed the Senate by a vote of 49-0 with one absent. SF 419 is waiting to be debated in the House of Representatives.

b. Proposal. SF 419 has the following provisions:

(1) *Expand Scope of Domestic Abuse.* It would add the term "intimate relationship" to the definition of domestic abuse circumstances.

(2) *Extend Protections.* It would provide victims of domestic abuse in this circumstance with the ability to obtain civil and criminal protective orders.

(3) *Extend Counseling and Education Benefits.* It would advance the goal of domestic violence prevention by permitting the judge involved to order the offender to participate in counseling and education.

5. Crime Victim Compensation.

This legislative proposal would make six changes to the allowable benefits under the State's Crime Victim Compensation program, which is funded entirely by criminal fines and penalties. All of these benefits are fully allowable under federal rules for state compensation programs. The total maximum cost of these recommendations is estimated to be $411,000 annually. The U.S. Department of Justice would reimburse the State of Iowa 40% of these benefits from the Victims of Crime Act (VOCA) and the remainder wouldl be derived from state fines and penalties imposed on criminals. The Iowa Crime Victim Compensation Fund is able to afford such increases. All the proposed benefit increases reflect the goal of compensating Iowans for the higher costs of being a victim of crime.

a. Increase Lost-Wage Benefit. Enhance the lost-wage benefit for a dependent victim's parent or caretaker. This would allow lost wages for a parent or caretaker who takes time off work to help the child or dependent cope with the trauma. It also would allow the lost wages reimbursement to all the parents and caretakers who accompany the victim to medical or counseling services by allowing the reimbursement to be up to $1,000 per parent or caretaker rather than $1,000 per case. Estimated cost to fund: $8,000 annually.

b. Increase Medical Care Benefit. Increase from $15,000 to $25,000. Estimated cost to fund: $50,000 annually.

c. Increase Counseling Service Benefit. Increase counseling service benefit for victims and homicide survivors from $3,000 to $5,000 annually.

d. Increase Clothing Benefit. Increase reimbursement for clothing held as evidence from $100 to $200. Estimated cost to fund: $7,000 annually.

e. Increase Benefit for Loss of Support. Increase benefit for loss of support by the dependents of a murder victim or a victim disabled from work for over 6 days from $2,000 per dependent to $4,000 per dependent. Estimated cost to fund: $144,000 annually.

f. Increase Benefit for Secondary Victim Counseling. Increase from $1,000 to $2,000. Estimated cost to fund: $42,000 annually.

6. Appointment of Temporary County Attorney.

a. Background. In 2000, the Legislature passed a law that provides that an acting county attorney may be appointed by the board of supervisors in the event that the county attorney is absent, sick or disabled. Prior to this law, the local district court handled the appointment and the county paid the expenses.

This change is acceptable except in two cases: cases with exigent circumstances that require immediate action by a county attorney, and cases in which the county attorney has a legal disability or an ethical conflict.

b. Proposal. This legislative proposal would give the chief judge of the district court the authority to appoint an attorney, or designate the attorney general, to act as county attorney until the board of supervisors appoints a temporary county attorney.

7. Child Endangerment Resulting in Death.

a. Background. There is a gap in Iowa law when it comes to persons whose acts cause the death of a child. If a death results from an act of child endangerment and the State is unable to prove malice aforethought or extreme indifference to human life, then the next lesser included offense that is typically applicable is involuntary manslaughter. This results in a Class D felony or an aggravated misdemeanor.

In a prosecution of an adult murdering another adult the crime of voluntary manslaughter can be considered. However, typically in child deaths, the serious provocation element required in voluntary manslaughter is inapplicable since a child is physically and emotionally incapable of causing serious provocation.

b. Proposal. The legislative proposal would allow prosecutors to seek a special class B forcible felony carrying a 50-year sentence in cases where child endangerment results in death without proof that the perpetrator possessed malice aforethought or acted with extreme indifference to human life.

8. Admitting Evidence of Past Criminal Behavior.

a. Background. Social science research has established that sex abusers are more likely than other offenders to repeat their criminal behavior. Evidence of prior sex offenses in a sexual abuse case is therefore especially relevant and helpful to jurors.

Under current Iowa law, evidence of such prior offenses may be admitted under Iowa Rule of Evidence 404(b) as prior bad acts if relevant to "proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident." However, the application of Rule 404(b) varies greatly from one case to the next. Prosecutors are unable to predict whether jurors will be permitted to hear evidence of a defendant's prior sex crimes. Prosecutors also are unable to predict if the admission of prior acts evidence will be upheld on appeal.

b. Proposal. This legislative proposal is based on the Federal Rule of Evidence 413 (effective in 1996) which allows for evidence of similar crimes in sexual assault cases and child molestation cases. This proposal would allow prior sex offenses to be presented as evidence in a criminal case if the trial court determined that prior bad acts are relevant to the case.

9. Post-Conviction Relief Costs.

a. Background. Currently, some indigent prisoners filing post-conviction relief (PCR) actions are entitled to legal representation at state expense, regardless of the outcome of the PCR action. This is unlike criminal practice where non-prevailing defendants must repay the costs of indigent defense provided by the state.

b. Proposal. This legislative proposal would make a non-prevailing prisoner responsible for costs incurred by the state in providing the prisoner indigent legal representation in PCR actions and PCR appeals. This proposal could reduce the incidence of frivolous PCR actions and PCR appeals. In addition, the proposal would encourage prisoners to think twice before bringing meritless and repetitious PCR actions.

Criminal Law Policy Positions.

In addition to these criminal law legislative proposals, Attorney General Miller takes the following positions on criminal law issues:

a. Substance Abuse Treatment/Drug Courts. Maintain and, when fiscally possible, expand substance abuse treatment programs and drug courts**.**

b. Drunk Driving. Support legislation establishing .08 as the applicable blood alcohol content (BAC) limit for drunk driving.

c. Statute of Limitations. Support legislation that amends the statute of limitations in criminal cases so that a defendant who is not present in the state during the statute of limitations period can still be prosecuted upon the defendant's return. Currently, the three-year statute of limitations for felonies (except murder and sex abuse) only can be waived in cases where a person leaves the state and the person left with the intent to avoid prosecution.

d. Assault as a General Intent Crime. Support legislation which would define assault as a general intent crime. This would overturn a recent Iowa Supreme Court decision (State v Heard) which held that the State needs to prove specific intent to commit an assault.

e. Domestic Violence and Firearms. Support legislation to prohibit possession, transfer, or sale of firearms to persons who already are so prohibited by federal law because they have been convicted of misdemeanor crimes of domestic violence, or who are the subject of a protective order.

Juvenile Justice Legislative Proposals

The challenge in Juvenile Justice will be holding the line against further program cuts. There has been an estimated $20 million reduction this year in money available for services to youth in the Juvenile Justice / Child Welfare system.

The vast majority of young people referred to Juvenile Court Services (more than 90%) are successfully rehabilitated and do not go on to become adult offenders. For all its challenges, the Juvenile Justice system works. Research shows that programs in the Juvenile Justice system are more cost effective in preventing future crime than those provided after an individual becomes an adult criminal. Reducing our efforts with young offenders will result in far greater future costs -- both to the state and to future victims.

Specific legislative proposals are as follows:

1. Detention and Group Care for 18-year-olds under Juvenile Court Jurisdiction.

This is a timely issue, given the recent publicity around the unfortunate death of Reggie Kelsey in Des Moines this summer and editorial concern about "kids aging out of the system." This proposal would do two things:

a. Allow youth who are 18 but still under the jurisdiction of juvenile court to be held in juvenile detention facilities (thus plugging a gap in the system and making Iowa law consistent with the federal Juvenile Justice and Delinquency Prevention Act.)

b. Allows young people in group care to finish their education or treatment programs, even though they turn 18. This parallels successful efforts of the Attorney General's office two years ago to allow youth to finish their program in the State Training School beyond their 18th birthdays.

The estimated cost is $200,000.

2. Child Protection Assistance Teams.

Iowa needs to strengthen its safeguards for children by effective use of juvenile court protections and coordinated investigation and prosecution of violent crimes against children. When a child is seriously injured or sexually abused, it is the county attorney's job to present the case in court, as a juvenile court case to protect the child and/or a criminal prosecution to hold the abuser accountable. A court case, however, is only as strong as the evidence available to the prosecutor. Serious child abuse cases require both an informed assessment by DHS and a thorough, timely forensic investigation by trained law enforcement investigators.

This is a proposal for county attorney-led child protection teams that are considered the best practice approach for the investigation and prosecution of serious child abuse cases. Prosecutors, law enforcement officers, DHS workers and medical professionals work together, according to a locally established protocol, to intervene immediately and effectively when a child is seriously injured or sexually abused.

3. Juvenile Delinquency Records.

This is a proposal to make juvenile court delinquency records available to the juvenile court in subsequent child in need of assistance (CINA) proceedings if the ability of the young offender to safely care for a child is an issue before the court.

A juvenile delinquency adjudication is not considered to be a criminal conviction and so does not result in the civil disabilities an adult criminal conviction would, such as losing the right to vote. Delinquency proceedings are not generally admissible as evidence against the person in later court actions, except in criminal sentencing proceedings when the person has been convicted of an aggravated misdemeanor or a felony. This is a public safety exception. The proposal would create a second public safety exception. A teenager with a history of violent or sexually abusive behavior may become a parent or live in a home where a small child resides. The safety of the younger child requires that the court have access to the caretaker's history.

Juvenile Justice Policy Positions.

In addition to these juvenile justice legislative proposals, Attorney General Miller supports the following positions on juvenile justice issues:

1. Youthful Offender Jurisdiction for 16- and 17-year-olds. This is a proposal to create more flexibility between juvenile court and the adult criminal system for youth in the middle of their most crime-prone years. Youthful offender jurisdiction, currently available for youth age 15 and younger, allows a young person accused of serious offenses to be tried as an adult but sent back to juvenile court for sentencing in, presumably, a more developmentally appropriate program. At age 18, after a hearing, the youth may be moved back to the adult system to complete his or her sentence there. Extending the Youthful Offender Jurisdiction provisions to 16- and 17-year-olds will save more young people and more money in the long run.

2. Child Abuse Information. The Governor proposes allowing certain information to be released about child abuse cases that result in fatalities or near fatalities, so long as the release of information does not jeopardize the safety of another child or a pending criminal case. It is important that Iowans have confidence in our state's child protective system. This proposal strikes a balance: It will help policy makers and citizens be able to better understand how the child protection system works, while at the same time protecting the privacy of children and the vast majority of DHS client parents who are working hard to improve their care of their children.

3. Funding Priorities. As money becomes available, Attorney General Miller recommends the following:

   a. *Restore Community Juvenile Crime Prevention Grant Funds*. The only money earmarked specifically for juvenile crime prevention programs was cut by 76% percent this year. These funds support community programs that are locally controlled and based on sound child development research.

b. *Community Delinquency Graduated Sanctions Programs.*

1) Delinquency Day Treatment and Intensive Tracking and Monitoring. These are community-based intermediate sanction programs that have shown their effectiveness. They have been cut by approximately 15% in the last year.

2) School-Based Juvenile Court Liaisons. This highly successful program places a Juvenile Court liaison in Middle and High Schools to provide supervision for young people on probation and services to at-risk youth. Positions are being lost as costs increased.

c. *Juvenile Crime Restitution Fund.* The Juvenile Crime Restitution Fund provided money for young offenders to earn money, through community service employment, to pay restitution to their victims. All funds went to victims. The fund allowed youth who do not have employment, primarily younger youth, to be held accountable. This fund was eliminated from the Judicial Branch budget last year.

d *Aftercare for youth being released from Training School and Residential Treatment Programs.* Research shows the most critical time in treatment is the months after release. Intensive aftercare is a way to insure that changes a youth makes during a treatment program are continued when he or she returns to the home community. It is a way to ensure that money spent on treatment is well spent.

e. *Group Care*. Residential group care beds have been reduced by approximately one-third since 1996. These are services that provide accountability and enable young people to become productive citizens.

f. *Pay equity for private providers in youth treatment programs.* Because of the low reimbursement rates paid by the state to private service providers, these agencies are not able to pay their workers wages that are comparable to those paid state workers. The result for these agencies is high worker turnover. The result for the young people in their care is instability and lack of continuity in their treatment. These are the people who are working with our most difficult and troubled children. The quality and effectiveness of programs for Iowa young people depends on the retention and training of high quality workers.